

### **REMARKS**

The Office Action mailed October 17, 2003 has been received and the Examiner's comments carefully reviewed. The abstract, specification, and drawings have been amended. No new matter is introduced by the amendments. Claim 13 is currently pending. For at least the following reasons, Applicant respectfully submits that the pending claim is in condition for allowance.

#### **Abstract Objection**

The Examiner requested that the abstract include language that generally refers to the matter being claimed. The abstract has been amended to recite "a device for, and method of, handling and mounting a boat sundeck." In light of this amendment, Applicants respectfully request withdrawal of this objection.

#### **Specification Objection**

The Examiner objected to the specification for failing to provide proper antecedent basis for the claimed subject matter of claim 13. The specification has been amended to include a detailed description of the sundeck 205 of the boat. The amendments to the specification are supported in the drawings, e.g. Figure 6, as originally filed.

Accordingly, the drawings have been amended to incorporate reference numbers now recited in the specification. In particular, Figure 6 has been amended to include reference numbers 210, 212, 214, 228 and 229. Annotated drawing amendments are provided herewith. In addition, a replacement sheet of Figure 6 is provided herewith. Applicants respectfully request approval of the drawing and specification amendments.

#### **Rejections Under 35 U.S.C. §112**

The Examiner rejected claim 13 under 35 U.S.C. §112, first paragraph, as containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of

the claimed invention at the time the application was filed. Applicants respectfully traverse this rejection.

Applicants submit that is supported by the specification as originally filed. In particular, Figure 6 shows a sundeck 205 having first and second legs (not numbered in the original drawings). The first leg, i.e. the shorter leg, has first and second surfaces 208, 209. The first and second surfaces 208, 209 are number in original Figure 6 and described in the original specification on page 5. The original Figure 6 also shows that the first and second legs are connected at an angle, and that the second leg has also first and second surface (not numbered in the original drawings).

Further, as shown in original Figure 6, the clamp structure 62 is positioned such that a middle section (not numbered in the original drawings) of the first leg is positioned between the clamping members 95, 115.

Last, with regards to the step of maneuvering the clamp structure, support is found in the specification, for example, on page 5, line 15: "the sundeck attachment 42 is manipulated so that the clamp structure 62 is positioned . . . ."

Applicants respectfully submit that the subject matter recited in claim 13 is supported by the specification, as originally filed. Applicants therefore request withdrawal of this rejection.

#### **Allowable Subject Matter**

The Examiner indicated that claim 13 would be allowable if the rejection under 35 U.S.C. §112, first paragraph, is overcome. Applicants thank the Examiner for this notification.

#### **SUMMARY**

It is respectfully submitted that the presently pending claim (claim 13) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicant's representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicant reserves the right to raise these arguments in the future.



Date: Dec. 12, 2003

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Karen A. Fitzsimmons". The signature is written over a horizontal line.

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